

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES—GENERAL

Case No. **EDCV 23-939-KK-PDx**

Date: November 27, 2023

Title: *Nelson Chilin v. Marcela G. Rodriguez et al*Present: The Honorable **KENLY KIYA KATO, UNITED STATES DISTRICT JUDGE**

Noe Ponce

Not Reported

Deputy Clerk

Court Reporter

Attorney(s) Present for Plaintiff(s):

Attorney(s) Present for Defendant(s):

None Present

None Present

Proceedings: (In Chambers) Order to Show Cause Why Action Should Not Be Dismissed for Failure to Prosecute

On May 24, 2023, plaintiff Nelson Chilin (“Plaintiff”) filed a Complaint against defendant Marcela G. Rodriguez (“Defendant”). ECF Docket No. (“Dkt.”) 1. On November 3, 2023, Plaintiff served the summons and Complaint on Defendant. Dkt. 17. Defendant was required to answer the Complaint within 21 days after the Complaint was served, i.e., no later than November 24, 2023. See FED. R. CIV. P. 12(a)(1)(A). Defendant has not filed an answer to the Complaint. However, Plaintiff has not filed a request for entry of default against Defendant.

Accordingly, Plaintiff is **ORDERED TO SHOW CAUSE** in writing why this action should not be dismissed as to Defendant for failure to prosecute. Plaintiff shall have **up to and including December 6, 2023** to respond to this Order. Plaintiff may discharge this Order to Show Cause by filing a request for entry of default against Defendant.

Plaintiff is expressly warned that failure to timely file a response to this Order will result in this action being dismissed without prejudice as to Defendant for failure to prosecute and comply with Court orders. See FED. R. CIV. P. 41(b).

IT IS SO ORDERED.